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**Montana Fish,
Wildlife & Parks**

Montana Fish & Wildlife Commission

MINUTES

Montana Fish and Wildlife Commission Meeting
FWP Headquarters – Helena, MT

August 11, 2016

Commission Members Present: Dan Vermillion-Chairman, Richard Stuker-Vice Chairman,
and Gary Wolfe
Matt Tourtlotte via telephone

Fish, Wildlife & Parks Staff Present: Mike Volesky, Chief of Operations and FWP Staff.

Guests: August 11, 2016 - See Commission file folder for sign-in sheet.

Topics of Discussion:

1. Call to Order and Pledge of Allegiance
2. Approval of Minutes of the July 13, 2016 Commission Meeting
3. Approval of Commission Expenses
4. Commission Reports
5. Director's Report
6. Classification of Exotic Wildlife Administrative Rules of Montana – Proposed
Callitrichidae (Primate family including Tamarins and Marmosets) - Prohibited
7. Water Update
8. Future Fisheries Project Approvals – Final
9. Bass Fishing Contest Petition – Final
10. Duck Creek Fishing Access Site Construction Closure (R6) - Final
11. 2017 Fishing Regulations - Proposed
12. Blackfoot Clearwater Forestry Project – Final
13. Keogh Conservation Easement Addition – Final
14. Brucellosis 2016 Work Plan Review and Proposed 2017 Annual Work Plan - Proposed
15. Bighorn Sheep Health Update – Informational
16. Selection of Organizations to Auction 2017 Moose, Sheep, Goat, Mule Deer and Elk Licenses –
Final

1. Call to Order - Pledge of Allegiance

Chairman Vermillion called the meeting to order at 8:32 a.m. and led the Pledge of Allegiance.

2. Approval of Minutes of the July 13, 2016 Commission Meeting

Action: Commissioner Wolfe moved and Vice-Chairman Stuker seconded the motion to approve the minutes of the July 13, 2016. Motion passed.

3. Approval of Commission Expenses

Action: Commissioner Wolfe moved and Vice-Chairman Stuker seconded the motion to approve the July 2016 Commission expenses. Motion passed.

4. Commission Reports

Commissioner Tourtlotte reported several rivers are on hoot-owl restrictions. Several calls on shoulder seasons; a lot of interest. Attended a picnic with the Montana Conservation Voters organization; very interesting group; public access and stream access issues were discussed; important for everyone to understand candidates who are running for office and who share their same values.

Commissioner Wolfe reported hoot-owl restrictions on several rivers are being lifted due to cooler weather; flows are still low. Attended the Wildlife Association of Fish and Wildlife Agencies (WAFWA) summer meeting; good meeting; 20 states were represented; key topics were Endangered Species Act reform, large carnivore management and wildlife disease; Ken McDonald, FWP Wildlife Administrator received the Presidential Award. Attended the Region 2 Citizens Advisory Council (CAC) meeting; six new members. Received calls complaining about private landowners who are soliciting trespass fees for the shoulder season; shoulder seasons were put in place to deal with private landowner

problems; charging for access during shoulder seasons violates the purpose; would like the Commission to discuss for future shoulder seasons. Received calls on the proposed fishing regulations and grizzly bear delisting. Received several emails concerning the states hazing proposal.

Vice-Chairman Stuker stated he agrees with Commissioner Wolfe's comments on shoulder seasons. Has seen several fawns while haying; good sign. Some areas in Region 4 are in hoot-owl restrictions. Hunting District (HD) 410 is in the process of an elk management season. Received calls from landowners regarding shoulders seasons; not understating the conversations or letters; stated they should have been contacted earlier; website information needs to be bolder. Visited with a watercraft inspection station by Swan Lake. Received inquiries who feel the Department is not doing as much as they could to inform the public regarding grizzly bears in the Rocky Mountain Front.

Chairman Vermillion reported several hoot-owl restrictions are in place; hard to over-emphasize the importance of the rivers to southwestern Montana's economy; a lot of challenges for everyone. Attended the Tri-State meeting in Idaho; Chronic Wasting Disease in Wyoming was a main topic of discussion. Received phone calls on shoulder seasons; landowners are concerned about fire danger; shares Commissioner Wolfe and Vice-Chairman Stuker's commercial opportunity concerns.

5. Director's Report

Mike Volesky, Chief of Operations, stated the Department and Commission have received a voluntary wildlife funding mechanism proposal; discussions are currently taking place; will bring to the Commission at a later date.

Chairman Vermillion stated the report from Finding Common Ground did specifically articulate this sort of proposal; this proposal is not species specific; habitat acquisition is not part of the proposal; strongly supportive of proposal.

Commissioner Wolfe stated at the WAFA meeting an update was given on the Blue Ribbon Panel; federal legislation will be introduced to provide significant additional funding for fish and wildlife management that is not connected with the sale with hunting and fishing licenses; strong support from other state Commissioners.

Chairman Vermillion stated the Commissioner's have signed a resolution supporting the state's policy and legislation that would broaden dedicated funding mechanisms for wildlife conservation and implementation of the Montana Wildlife Action Plan, and encourages the Montana state legislature to allocate the necessary 25% non-federal match in the event that new dedicated federal funding is secured. (Copy of the resolution can be found in the August 11, 2016 Commission file).

6. Classification of Exotic Wildlife Administrative Rules of Montana – Proposed

Callitrichidae (Primate family including Tamarins and Marmosets) – Prohibited

Mike Lee, Commercial Wildlife Permit Manager, explained on February 11, 2016 the Classification Review Committee (CRC) received a petition to classify the common Marmoset monkey, an increasingly popular pet in many parts of the world and in some states; many western states have prohibited the Marmoset monkey from any type of personal possession. The committee conducted its own independent research and decided to include the entire family of primates including Marmosets and Tamarins. The CRC would appreciate the Commission's acceptance to include this family of primates to the prohibited species list by amending Administrative Rules of Montana (ARM) 12.6.2215

Action: Vice-Chairman Stuker moved and Commissioner Wolfe seconded the motion that the Commission propose the amendment to the classification of exotic species ARM 12.6.2215 as recommended by the classification review committee.

Chairman Vermillion asked for public comment.

Action on Motion: Motion passed.

7. Water Update

Gary Bertellotti, Acting Fisheries Administrator, gave a statewide water restriction and closure update.

Chairman Vermillion asked the Department to send the Commission a listing of all statewide closures.

8. Future Fisheries Project Approvals – Final

Michelle McGree, Habitat Restoration Program Officer, explained the Future Fisheries Improvement Program (FFIP) continues to provide funds for projects that restore fishery habitats in streams, rivers and lakes for the benefit of wild fisheries. Applications are reviewed twice each year by the 14-member Citizen Review Panel (CRP) appointed by the Governor. Recommendations are forwarded to the Commission every six months for consideration and approval. For the Summer 2016 funding cycle, the CRP recommends funding 10 of 11 submitted proposals at a program cost of \$249,475; one of the submitted proposals was withdrawn by the applicant and is considered inactive. Matching funds or in-kind contributions from outside sources total \$827,626, for more than a 3.3-to-1 match. The public was informed about program funding opportunities via news releases, a public meeting, and information posted on FWP's website; the CRP held a public meeting and reviewed applications, discussed proposed projects with applicants in attendance, and provided the opportunity for public comment; no public comment was received. Environmental Assessments (EA) were prepared for three of the ten projects recommended for funding; two projects fell under a categorical exclusion, four have been or will be assessed

under the federal National Environmental Policy Act (NEPA), and one had an EA completed previously. The comment period for drafted EAs ended July 27; six comments were received; all in support.

Action: *Commissioner Wolfe moved and Vice-Chairman Stuker seconded the motion that the Commission approve the Citizen Review Panel funding recommendations for the Summer 2016 funding cycle of the Future Fisheries Improvement Program.*

Chairman Vermillion asked for public comment.

Action on Motion: *Motion passed.*

9. Bass Fishing Contest Petition – Final

Gary Bertellotti, Acting Fisheries Administrator, explained on July 14, 2016, Don Collins submitted a petition to amend ARM 12.7.808 to allow bass caught during authorized catch and release fishing contests to be held by participants without regard to fish length limits. The petition retains the requirement the number of fish held cannot otherwise exceed the daily limit allowed on the water body; because it would allow a daily limit of bass to be held without concern for length limits, the amendment would override that aspect of current fishing regulations on any water body for which length limits on bass exist. Montana Code Annotated (MCA) requires the Commission to either deny the petition or initiate rulemaking within 60 days. The public has not had an opportunity to review or comment on the petition. The proposed rule change modifies current fishing regulations during bass fishing contests. If approved by the Commission, rulemaking processes would be initiated and public comment would be solicited; the Commission can also deny the petition. Supporting this decision is an ARM amendment outside of the annual fishing regulation setting process; the amendment remains in effect until changed and does not receive annual review. In contrast, annual and biennial regulations allow the Commission to be responsive to the fish and wildlife needs within Montana and adopt quotas and other regulations in a responsive manner. Following the rules in the petition could end up violating fishing regulations; in the case of a contest on a lake where only one bass over 12 inches is allowed, this regulation could be violated because of the sentence in the rule that "All fish must be released at the end of the day unless the fish died as a result of handling during the contest." If a contestant had two fish over 12 inches die during the tournament, they would be compelled to keep both of them and would be in violation of the regulation; this is contrary to a major objective for fishing regulations which is to provide needed protection to fish populations. Providing exceptions to the existing regulations for some, but not all, reduces the ability to meet this objective and creates other issues with enforceability and fairness. The Commission can approve the petition and initiate the rulemaking process; approval would initiate the Montana Administrative Procedure Act (MAPA) process. FWP recommends the Commission deny the petition and retain all modifications to fishing regulations in its annual and biennial regulation setting process. FWP has consistently required fishing contests to follow existing fishing regulations, and providing exceptions to the existing regulations for some, but not all, reduces the ability to meet this objective and creates other issues with enforceability and fairness.

Mark Deleray, Region 1 Fisheries Manager, explained the current restrictive water body regulations.

Action: *Vice-Chairman Stuker moved and Commissioner Wolfe seconded the motion that the Commission deny the petition submitted by Mr. Collins requesting an administrative rule change regarding bass possession limits during tournaments.*

Chairman Vermillion and Deleray discussed length/slot limitation for bass in water bodies within Region 1.

Don Collins, Petitioner, explained the reasoning for his petition.

Commissioners, Bertellotti, Deleray and Collins had a lengthy discussion on issues regarding the petition and current bass tournament regulations.

Bertellotti stated legally, on a case-by-case basis, an exception could be made as long as it doesn't conflict with management objects.

Chairman Vermillion asked for public comment.

Stephen Roth, Kalispell, supports petition.

Chancy Jeschke, Kalispell, supports petition; could take pressure off Noxon Reservoir; economical value of tournaments is huge.

Pete Jellar, Flathead WU, good way to get young people out in the fishing community; supports petition.

Jim Vashro, Flathead Wildlife, supports petition; bass tournaments are a great source for data.

Chairman Vermillion and Deleray discussed tournaments in other water bodies within the Region.

Commissioner Wolfe stated he has spoke with Deleray and he cannot support the petition as it is written.

Commissioner and Bertellotti discussed case-by-case exceptions.

Commissioner Wolfe asked if the Department has the ability on a case-by-case basis to make an exception.

Bertellotti stated yes, that is correct.

Vice-Chairman Stuker, Commissioner Wolfe and Bertellotti discussed how to handle future applications.

Commissioner Wolfe stated if the Department has the flexibility to suspend the length limits on a case-by-case basis, he will support the motion.

Action on Motion: Motion passed.

Chairman Vermillion thanked Mr. Collins for bringing and addressing the petition to the Commission.

10. Duck Creek Fishing Access Site Construction Closure (R6) – Final

Gary Bertellotti, Acting Fisheries Administrator, explained Duck Creek Fishing Access Site (FAS) is a popular access to Fort Peck Reservoir near Glasgow. The Duck Creek construction project will include paving and striping the parking area; the parking lot and upper fish cleaning lot are currently graveled. As site use increases, non-designated parking has become an issue and gravel on the concrete boat ramp must be constantly swept to avoid unsafe conditions; no ADA parking or paved path to the bathroom exists currently. A meeting will be held and will constitute public notice; comments will be solicited at this time. There is support for this project from local and state WU Chapters and Glasgow Chamber of Commerce; WU is on record with a letter of support and has offered to cost-share the project.

Action: Vice-Chairman Stuker moved and Commissioner Wolfe seconded the motion that the Commission endorse FWP's request to temporarily close vehicular access to the Duck Creek Fishing Access Site during construction scheduled later this summer.

Chairman Vermillion asked for public comment.

Action on Motion: Motion passed.

11. 2017 Fishing Regulations – Proposed

Joel Tohtz, Fisheries Management Bureau Chief, explained Montana's fishing-regulation process is based on a four-year cycle. The 2015 set regulations for 2016-2019 established fishing regulations underwent a thorough internal review by FWP that includes consideration of ideas, comments, and regulation suggestions from the public. These regulations are meant to remain in place four years during which time their effectiveness is evaluated with respect to fish management objectives as well as angler use and satisfaction; changes to the regulations are presented to the Commission in subsequent years. In 2017 the Department has 15 regulation changes; each proposal is intended to improve ease of understanding, relevancy, and the consistency of protections for our fisheries in the upcoming years. With Commission approval, the recommended proposals will be solicited for a 30-day public comment period; the final recommendations will be brought back at the October 2016 Commission meeting. The proposed changes are:

WESTERN DISTRICT – Region 1

Lake Creek (near Troy)

Delete 2016 Version

- ~~Brown trout: no limit~~
- ~~Snagging: open for Salmon from September 15 through November 30.~~
- ~~Entire Stream~~
- ~~Open to fishing all year.~~

Rearrange and add:

- Open to fishing all year, *except 150 yards upstream of Keeler Creek to Chase Cutoff.*
- *Bridge: Closed to angling from July 15 through October 31.*
- Brown trout: no limit.
- Snagging: *Downstream of Troy Dam* open for *Kokanee* Salmon from September 15 through November 30.

Middle Fork Flathead River DRAINAGE

All streams within the wilderness

- *Combined trout: 3 daily and in possession, none over 12 inches in rivers and streams, no size limit in lakes. Includes Rainbow Trout, Cutthroat Trout and Arctic Grayling.*

Non-wilderness portion

NOTE: Montana/Glacier National Park boundary is the ordinary high water mark on the park side of the river.

- Closed to angling June 1 through September 30 within a 150-yard radius of the Bear Creek stream mouth.
- Catch-and-release for Cutthroat Trout.

- Combined trout: 5 daily and in possession.
- Extended Whitefish season and catch-and-release for trout open December 1 to third Saturday in May with artificial lures and/or maggots only.

South Fork Flathead River DRAINAGE

All waters upstream from Hungry Horse Dam, including Hungry Horse Reservoir and tributaries except Meadow Creek section (see below)

- Combined trout: 3 daily and in possession, none over 12 inches in rivers and streams, no size limit in lakes. Include: Rainbow Trout, Cutthroat Trout and Arctic Grayling.

Mainstem upstream from Hungry Horse Reservoir (from Crossover Boat Ramp south and upstream to the confluence of Youngs and Danaher creeks)

- Bull Trout: catch-and-release from the third Saturday in May through July 31. A Hungry Horse/South Fork Flathead Bull Trout Catch Card must be in possession when fishing for Bull Trout. See Special License requirements for application information. All Bull Trout must be released immediately. It is unlawful to possess a live Bull Trout for any reason.

Meadow Creek Bridge to Spotted Bear footbridge and tributaries

- Catch-and-release *only for cutthroat trout.*
- Artificial lures only.

Hungry Horse Dam downstream to Devil's Elbow and tributaries

- Closed entire year.

Devil's Elbow downstream to mouth and tributaries

- Catch-and-release for Cutthroat Trout.
- Extended season for Whitefish and catch-and-release for trout open December 1 to third Saturday in May with artificial lures and/or maggots only.

WESTERN DISTRICT – Region 2

McCormick Pond aka Silver's Lagoon (Missoula).

- ~~Open April 1 through October 30.~~
- ~~3 fish daily and in possession, any species.~~
- ~~Open to fishing for anglers 14 years of age or younger.~~

Regulations are re-ordered to match the complimentary entry for Silver's Lagoon aka McCormick Pond, trout limit is reduced, no limit for other species:

McCormick Pond aka Silver's Lagoon (Missoula).

- Open to fishing for anglers 14 years of age or younger.
- Open April 1 through October 30.
- ~~3 fish daily and in possession, any species.~~ *Combined trout, including cutthroat trout: 1 fish daily and in possession.*
- Trout limit reduced, no limit for other species:

Silver's Lagoon aka McCormick Pond (Missoula).

- Open to fishing for anglers 14 years of age or younger.
- Open April 1 through October 30.
- ~~3 fish daily and in possession, any species.~~ *Combined trout, including cutthroat trout: 1 fish daily and in possession.*

CENTRAL DISTRICT – Region 3

Big Hole River

Delete 2016 Version:

Entire River

- ~~Catch and release for Arctic Grayling.~~
- ~~Extended season for Whitefish and catch-and-release for trout open December 1 to the third Saturday in May with artificial lures and/or maggots.~~

Headwaters to North Fork Big Hole River

- ~~Brook Trout open entire year.~~

Headwaters to Dickie Bridge

- ~~Combined Trout: 5 daily and in possession, no size restriction.~~

Dickie Bridge to Melrose Bridges

- ~~Artificial lures only.~~

Proposed 2017 Version:

Headwaters to Dickie Bridge

- *Open all year.*

- Catch and release for Arctic Grayling.
- Combined Trout: 5 daily and in possession, no size restriction.
- Brook Trout: 20 daily and in possession.

Dickie Bridge to Melrose Bridges

- Catch and release for Arctic Grayling.
- Artificial lures only.
- Catch and release only for trout December 1 to third Saturday in May with artificial lures and/or maggots.

Melrose Bridges to the mouth

- Catch and release for Arctic Grayling.
- Catch and release only for trout December 1 to third Saturday in May with artificial lures and/or maggots.

Red Rock Creek (Beaverhead River drainage)

- Open entire year except May 15 through June 14.
- ~~Cutthroat Trout: 20 daily and in possession.~~
- Cutthroat Trout: 5 daily and in possession, no size limit.

Duck Creek

- Open third Saturday in May through November 30.

Grayling Creek

- Open third Saturday in May through November 30.

South Fork Madison River

- Open third Saturday in May through November 30.

Hellroaring Creek (Yellowstone River drainage)

- Cutthroat Trout: 3 daily and in possession, ~~none over 12~~ only one over 14 inches.

CENTRAL DISTRICT – Region 4

~~Priest Butte Lake~~

- ~~• Open June 15 through September 15.~~
- ~~• Open December 1 through the end of February.~~

CENTRAL DISTRICT – Region 5

Slough Creek (Yellowstone River drainage)

- Cutthroat Trout: 3 daily and in possession, ~~none over 12~~ only one over 14 inches.

Soda Butte Creek (Yellowstone River drainage)

- Cutthroat Trout: 3 daily and in possession, ~~none over 12~~ only one over 14 inches.

CENTRAL DISTRICT – Region 3 and 5

Yellowstone River Tributaries

- ~~Buffalo Fork:~~ Hellroaring, Slough and Soda Butte creeks upstream from YNP boundary.
 - Cutthroat Trout: 3 daily and in possession, ~~none over 12~~ only one over 14 inches.
- All tributaries between YNP Boundary and Pine Creek Bridge.
 - Catch-and-release for Cutthroat Trout.
- All tributaries downstream from Springdale.
 - Combined trout: All may be Cutthroat Trout (unless indicated otherwise in tributary exceptions).

EASTERN DISTRICT – Region 7

Intake Diversion Dam to about 1/4 mile downstream as posted (Yellow Tag)

- ~~• Closed May 15 through June 30 to fishing or snagging from boats/vessels.~~
- Closed to fishing, snagging, or landing Paddlefish from boats/vessels during the open Paddlefish Season (May 15 through June 30, or earlier as posted on site).

Intake Diversion Dam to about 1/4 mile downstream as posted

- ~~• Closed May 15 through June 30 to fishing or snagging from boats/vessels.~~

- *Closed to fishing, snagging, or landing Paddlefish from boats/vessels during the open Paddlefish Season (May 15 through June 30, or earlier as posted on site).*
- **Snagging:** It is illegal to snag for fish other than Paddlefish.

Chairman Vermillion and Joel Tohtz discussed the Duck Creek, Hellroaring and Slough Creek fishing proposals.

Action: *Vice-Chairman Stuker moved and Commissioner Wolfe seconded the motion that the Commission authorize FWP to solicit public comment on the proposed fishing regulation changes for 2017.*

Chairman Vermillion stated in the past, he asked the Department to look at different approaches to hook size and types on the Madison River; Department is about to engage on a comprehensive public conversation on how to manage the Madison River; encourages to have robust conversations with the public about how to manage the river moving forward.

Chairman Vermillion asked for public comment.

Vern Parrow, WU, recommends changing the Canyon Ferry walleye slot limit.

Leroy Mehrling, Skyline Sportsmen, walleye were illegally introduced by bucket biologist in Canyon Ferry; opposes any changes to Canyon Ferry.

Chairman Vermillion and Tohtz discussed the Canyon Ferry Management Plan.

Chairman Vermillion encourages the public to comment.

Tohtz stated there will be plenty of opportunity for public comment.

Action on Motion: *Motion passed.*

12. Blackfoot Clearwater Forestry Project – Final

Ken McDonald, Wildlife Administrator, explained this forest management project will implement a combination of treatments on approximately 372 acres of the Blackfoot-Clearwater Wildlife Management Area (WMA). The proposed treatments include salvage logging of mountain pine beetle killed trees, commercial thinning, fuels reduction, and removal of encroaching conifers in quaking aspen stands. The proposed treatment area is important for big-game winter and summer range, elk calving grounds, grizzly bear habitat, and will be designed to improve big-game forage production and promote historical stand conditions typical of forests within high frequency fire regimes. Desired future conditions will enhance habitat for small mammals, retain and recruit large diameter snags for cavity nesting species, and enhance a mosaic understory that favors recruitment of shrubs and grasses. FWP would begin implementation in the summer of 2016 through the fall of 2018. The draft EA was made available for public review on May 21, 2016; no public comment was received. Changes from the original proposal included retaining patches of Douglas-Fir regeneration to provide additional hiding cover and increased snag retention in pine beetle killed stands. No action will allow for a continued departure from historic conditions that would further degrade wildlife habitat conditions associated with this project, and would allow the stands proposed for treatment to continue to grow trees on sites that do not favor dense forest conditions resulting in increased susceptibility to forest insect and diseases and risk of stand replacement fire not typical of forests in these areas. FWP recommends implementing the proposed Forest Restoration Treatments based on the demonstrated need to improve future forest stand and wildlife habitat conditions. Final financing is still being worked on; should be a break-even project; not much commercial value.

Action: *Commissioner Wolfe moved and Chairman Vermillion seconded the motion that the Commission approve the proposed forest restoration project on Blackfoot-Clearwater WMA as presented by FWP.*

Commissioner Wolfe and McDonald discussed modifications in the Decision Notice (DN), due to internal concerns.

Chairman Vermillion asked for public comment.

Rich Lane, Missoula, supports project; will help to reduce threat to habitat wildlife and improve lands; FWP staff have done a remarkable job.

Action on Motion: *Motion passed.*

13. Keogh Conservation Easement Addition – Final

Ken McDonald, Wildlife Administrator, explained FWP proposes to purchase a conservation easement (CE) on a 41-acre in-holding that lies in the middle of the existing Keogh CE, 7,106 encumbered acres, located 15 miles north of Whitehall, MT. Bureau of Land Management (BLM) owned the in-holding in the past; currently the Fitzgerald family, who also own the land encumbered by the FWP CE, holds the in-holding. The appraised value and cost of the easement is \$46,400; the Treasure State Chapter of the Mule Deer Foundation (MDF) has committed to contribute \$10,000 toward the purchase; the balance would be paid for through the Habitat Montana Program. The in-holding would be encumbered with the same terms as the surrounding easement and managed under the same

management plan. Public comments were solicited through June 24, 2016; legal notices were printed in the local papers and posted on the FWP webpage; discussed with the Jefferson Valley Sportsmen Association; and copies of the EA were sent to adjacent landowners and several other interested parties; three comments were received, all in support. A DN in support of the proposed action was signed by the Region 3 Supervisor on June 30, 2016; two alternatives were considered: 1) FWP purchases a conservation easement on the 41-acre in-holding to the Keogh Ranch Conservation Easement; 2) FWP does not purchase an easement on the in-holding. Proceeding with the proposed action would assure this land continues to provide valuable wildlife habitat and recreation access while also maintaining the land as part of a traditional agricultural operation.

Action: *Vice-Chairman Stuker moved and Commissioner Wolfe seconded the motion that the Commission approve completion of this addition to the Keogh Ranch Conservation Easement.*

Chairman Vermillion asked for public comment.

Chairman Vermillion thanked the MDF for their support and the Keogh Ranch for working with the Department and MDF to get this CE done.

Action on Motion: *Motion passed.*

14. Brucellosis 2016 Work Plan Review and Proposed 2017 Annual Work Plan – Proposed

Quentin Kujala, Wildlife Management Section Chief, explained in January 2013, the Commission endorsed elk management recommendations from a citizen working group for use in areas with brucellosis in the Designated Surveillance Area (DSA). The Commission recognized the need for annual work plans based upon these recommendations. The annual work plans describe specific management actions available for implementation. The proposed 2017 annual work plan represents the fifth iteration of annual plans and builds upon the 2013 - 2016 plans and experience gained through implementation of these previous plans, and largely restates the 2016 plan to include hazing, limited fencing, limited lethal removal of elk, habitat modifications, and other efforts to adjust elk distribution at small scales to mitigate the risk of brucellosis transmission from elk to cattle. The proposed 2017 annual work plan includes new language addressing the potential for elk exposed to brucellosis to mix with elk not exposed in areas near the DSA boundary, identifies non-lethal hazing as a potential management response. Public comment opportunity will run through 5 p.m., September 12 with final adoption at the October 13 Commission meeting. The citizen working group originally developed recommendations for elk management in areas with brucellosis was informally reconvened July 5 to review the past year's efforts and was open to the general public; the work group advocated the additional proposed language relative to different elk groups potentially mixing. The plan reflects FWP experience gained from 2013-2016 efforts as well as continued, informal participation from the statewide working group, input from landowners, sportspersons, industry groups, other members of the public, and other agencies.

Chairman Vermillion, Vice-Chairman Stuker, Commissioner Wolfe and Kujala had a lengthy discussion on the proposed plan.

Action: *Chairman Vermillion moved and Vice-Chairman Stuker seconded the motion that the Commission adopt the proposed 2017 annual work plan for elk management in areas with brucellosis as present by FWP (for discussion purposes).*

Chairman Vermillion asked for public comment.

Marty Zaluski, Department of Livestock (DOL), shares same concerns as Commissioners; addressed Commissioner's issues in detail.

Commissioners and Kujala discussed in depth details within the plan.

Nick Gevok, Montana Wildlife Federation (MWF), cannot support proposal; potential to fail; tremendous expenses.

Rod Bullis, Helena Hunters and Anglers (HHA), opposes proposal; cannot support; scientifically, politically and financially complicated issue; hazing proposal is over the top.

Kathryn QannaYahu, Enhancing Montana's Wildlife and Habitat (EMWH), opposes proposal; grave concerns; sportsmen dollars are being used; plan is full of holes; just found out about proposal a few nights ago.

Leroy Mehring, SS, opposed to commingling/hazing of elk; will not work; most stressful time for elk.

Harold Johns, SS, not in favor of proposal; money should be spent to develop a vaccine.

Jay Bodner, Montana Stockgrowers Association (MSA), supports keeping the working group in place; does not want DSA expanded; different options are available to consider.

Glen Hockett, Gallatin Wildlife Federation (GWA), opposes hazing elk away from elk idea; lethal tools should be eliminated from plan; vaccine should be developed.

Clinton Nagel, GWA, opposes proposal; agrees with other opposed comments.

Jim Bailey, GWA, asked for an explanation of what "small groups" and "large numbers" of elk are that Kujala talked about.

Chairman Vermillion stated the Department will respond to Bailey's question in due time.

Amended Action: *Chairman Vermillion moved and Commissioner Wolfe seconded the motion that the Commission approve for tentative purposes, the proposed 2017 annual work plan for elk management in areas with brucellosis, with the exception to remove the elk hazing to reduce commingling with other elk not exposed to brucellosis portion from the plan (page 4-6).*

Vice-Chairman Stuker asked the Department to look at the area outside the DSA and come back to the Commission with some sort of recommendations to alleviate this issue.

Commissioner Tourtlotte stated he supports the amendment; irresponsible of the Department to propose, moved the line too far; Departments obligation is to the sportsmen/women and to Montana citizen's, to make proposals that are not just for the sake of discussion; proposal was impossible to implement.

Vice-Chairman Stuker supports most of Commissioner Tourtlotte' comments; the Department does have obligations to all citizens, landowners, ranchers, sportsmen/women; feels the Department did look at all parties involved; as long as there is communication, hopefully a solution can be made.

Chairman Vermillion stated it is a team effort; the Commission made a commitment to listen to the Brucellosis Working Group; hopefully the Department and DOL understand the Commission's action; everyone has the same goal.

Action on Amended Motion: *Motion passed.*

15. Bighorn Sheep Health Update – Informational

Chairman Vermillion stated due to meeting time constraints, this informational item will be postponed to a future meeting.

16. Selection of Organizations to Auction 2017 Moose, Sheep, Goat, Mule Deer and Elk Licenses – Final

Hank Worsech, Licensing Bureau Chief explained, a press release and notice on the FWP website for solicitation of interested organizations were completed this year. Responding proposals for 2017 licenses came from the following: Wild Sheep Foundation (WSF) - sheep; MDF - mule deer; Rocky Mountain Elk Foundation (RMEF) - elk and moose; Safari Club International-Great Falls (SCIGF) - goat; and Montana Ducks Unlimited (MTDU) - moose.

Action: *Vice-Chairman Stuker moved and Commissioner Wolfe seconded the motion that the Commission approve Ducks Unlimited for the moose license, Wild Sheep Foundation for the sheep license, Safari Club for the goat license, Rocky Mountain Elk Foundation for the elk license and the Mule Deer Foundation for the deer license.*

Chairman Vermillion asked for public comment.

Chairman Vermillion thanked all the organizations for their support; appreciates their partnership.

Commissioner Wolfe stated last year's auctions generation over \$400,000 for wildlife management in Montana.

Kurt Alt, WSF, thanked the Commission for the long collaboration and hopes to continue to generate revenue to help Montana conservation.

Action on Motion: *Motion passed.*

27. Public Comment – For Issues Not On This Agenda

Action: *Vice-Chairman Stuker moved and Commissioner Wolfe seconded the motion to adjourn the meeting. Motion Passed.*

The meeting adjourned at 11:55 a.m.



Dan Vermillion, Chairman



M. Jeff Hagener, Director

